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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
IN REPLY REFER TO:

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IC-94-12351
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Honorable Dick Armey
Member, U.S. House of Representatives
9901 Valley Ranch Parkway East
Suite 3050
Irving, Texas 75063

Dear Congressman Armey:

Thank you for your July 26, 1994 letter on behalf of Weldon Lucas, Sheriff of Denton County, Texas regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. For example, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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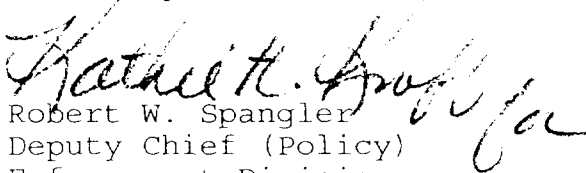
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Honorable Dick Armey

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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert W. Spangler", is written over the typed name and title.

Robert W. Spangler
Deputy Chief (Policy)
Enforcement Division
Common Carrier Bureau

Enclosures

CONGRESSMAN DICK ARMEY
26TH DISTRICT, TEXAS

COMMITTEES:
EDUCATION AND LABOR
JOINT ECONOMIC COMMITTEE
REPUBLICAN CONFERENCE
CHAIRMAN



Congress of the United States
House of Representatives
Washington, DC 20515-4326

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94012351

July 26, 1994

Federal Communications Commission
Lauren J. Belzin
1919 M. Street, NW, Room 808
Washington, D.C. 20554

RE: Denton County Sheriff's Department
Weldon Lucas, Sheriff
127 N. Woodrow Lane
Denton, TX 76205

Dear Ms. Belzin,

The enclosed communication has been sent to the attention of the Chairman of the FCC, as well as the remaining four Commissioners. Your careful review of this constituent's concerns is appreciated.

Please respond in writing to my constituents concerns, advising me of the decision, if this factor has been considered in the decision making process. If the Billed Party Preference(BFF) is implemented, what safeguards exist which will permit the continuing control of call abuse and fraud by prison inmates? If you have any questions, or if I may provide any additional information to you, please contact Ms. Shelby Hiser of my district staff. Your response should be directed to the district office.

Thank you for your assistance in this matter.

Sincerely,

DICK ARMEY
Member of Congress

DA/sjh

Enclosure

RECEIVED JUL 25 1994

Weldon Lucas
Sheriff
Denton County Sheriff's Department

July 22, 1994

The Honorable Dick Armey
U.S. Representative, District 26
9901 Valley Ranch, Suite 3050
Irving, TX 75063

Dear Congressman Armey,

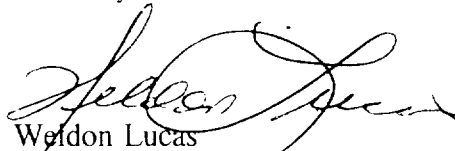
Enclosed please find a letter to the Commissioner of the Federal Communications Commission stating the Denton County Sheriff's Department's extreme opposition to **Billed Party Preference** for inmate phone systems.

Inmate phone services provide a specialized service preventing citizens from receiving unwanted calls from inmates and preventing other forms of call abuse and fraud from inmates. This service also generates revenue for the county through the commissions they pay. Very simply, to lose this service would hinder our ability to protect citizens (possibly victims of the inmates' crimes) from harassing phone calls as well as adversely affect the budget for jail operations which includes inmate programs.

Many inmate phone services, such as ours, includes contractual specifications that ensure "reasonable" rates or a rate ceiling for controlling the cost of inmate calls which is what BPP is geared toward doing. In fact, Billed Party Preference may cost more in the long run because regular phone services cannot guarantee that the same protections inmate phone services provide at the same cost, if at all.

We urge you help prevent this measure by making your opposition known to the Chairman and four Commissioners of the FCC by **Monday, August 1, 1994**. Thank you for any help you may give in this matter. If you have any questions, please feel free to call me at 817-898-5620.

Sincerely,


Weldon Lucas
Sheriff, Denton County

WGL/hm

enclosures

**ALL LETTERS MUST BE RECEIVED BY THE FCC BY
MONDAY, AUGUST 1, 1994**

Letters should be addressed to the Chairman of the FCC as follows:

The Honorable Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Billed Party Preference; CC Docket No. 92-77

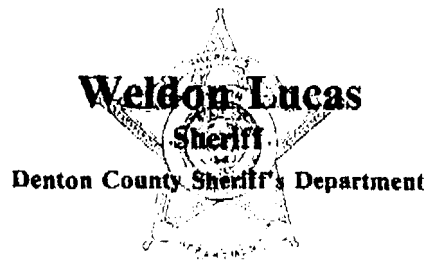
Letters to the other four FCC Commissioners would go to the above address:

The Honorable James H. Quello

The Honorable Andrew C. Barrett

The Honorable Rachelle B. Chong

The Honorable Susan Ness



July 21, 1994

The Honorable Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preference; CC Docket No. 92-77

Dear Chairman Hundt,

It has come to my attention that the FCC is considering the implementation of a "billed party preference" for 0+interLATA payphone traffic and for other types of operator-assisted interLATA traffic. If BPP is implemented, Inmate Phone Systems, as we know them today, will cease to exist.

The Denton County Sheriff's Department is strenuously opposed to BPP for inmate phone systems, the most important reason being the control over the calls generated by over 850 inmates in this correctional facility. This Administration is firmly committed to protecting law-abiding citizens' and especially victims' rights, and the phone system we currently have in use allows us to effectively control and practically eliminate call abuse and fraud by the inmates.

Inmate call abuse and fraud is a very real problem for the victims of crimes, judges, witnesses, and other elected officials, as well as the family, friends, and acquaintances of some of the inmates who do not wish to be harassed. A regular phone service will not be able to provide the immediate assistance that our specialized inmate phone service provides to eliminate these kinds of problems. Furthermore, these special requests will cost a great deal more from a regular service.


In addition to losing the ability to effectively control inmate calls, in these hard economic times our budget could not be expanded to include a regular phone service with the necessary equipment and manpower that would permit the supervision of inmate calls without cutting other budgetary items vital to operating our jail. Also, implementing BPP would eliminate the revenue-generating agreements that we have with the inmate phone services; revenue that augments our budget and enables us to provide important educational and rehabilitation programs for the inmates. Obviously, the adverse financial impact of having BPP would severely handicap inmate programs and jail operations.

We share the concern for providing reasonable rates for inmate phone service. Our

existing contract specifies that the inmates pay no more than the standard GTE and AT&T rates. Billed Party Preference is not the answer to controlling phone costs; specifying "equivalent" rates in the bid package guarantees the inmates pay no more than anyone else for like service.

The disadvantages of BPP far outweigh the rate control this program would allegedly offer. Aside from the tremendous negative budgetary impact, the protection of private citizens from harassing phone calls and telephone fraud is at stake with the implementation of BPP. We vigorously oppose this program, and fervently hope that it is not implemented.

Sincerely,



Weldon Lucas
Sheriff, Denton County

WGL/hm